

MESSAGE NO: 1320308

MESSAGE DATE: 11/16/2011

MESSAGE STATUS: Active

CATEGORY: Countervailing

TYPE: LIQ-Liquidation PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE: OUTSCO-Out of Scope

FR CITE:

FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): C-570-968

EFFECTIVE DATE: 09/07/2010

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED:

TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Countervailing (CVD) duty scope determination on aluminum extrusions from the People's Republic of China (PRC) C-570-968

THESE INSTRUCTIONS CONSTITUTE NOTICE OF LIFTING OF SUSPENSION OF LIQUIDATION. SEE PARAGRAPH 5 BLEOW.

1. COMMERCE RECEIVED A SCOPE RULING REQUEST FROM RUBBERMAID COMMERCIAL PRODUCTS LLC (RUBBERMAID). COMMERCE ISSUED A FINAL SCOPE DETERMINATION ON 10/28/2011 THAT RUBBERMAID'S CERTAIN DECORATIVE WASTE CONTAINERS WHICH IT IMPORTS ARE NOT WITHIN THE SCOPE OF THE CVD DUTY ORDER ON ALUMINUM EXTRUSIONS FROM THE PRC C-570-968.
  2. COMMERCE DETERMINED THAT RUBBERMAID'S CERTAIN DECORATIVE WASTE CONTAINERS ARE OUTSIDE THE SCOPE OF THE ORDERS. THE INFORMATION FROM RUBBERMAID DEMONSTRATES THAT THE INITIAL FEEDSTOCK USED TO PRODUCE THE DECORATIVE WASTE CONTAINERS WERE ALUMINUM INGOTS THAT WERE SUBSEQUENTLY ROLLED, DRAWN, AND WELDED. THUS, BASED ON THIS INFORMATION THE DEPARTMENT CONCLUDED THAT THE DECORATIVE WASTE CONTAINERS AT ISSUE ARE NOT PRODUCED USING AN EXTRUSION PROCESS. THEREFORE, THE DEPARTMENT DETERMINED THAT THE PRODUCTS AT ISSUE ARE NOT COVERED BY THE SCOPE OF THE CVD ORDER.
  3. EFFECTIVE 09/07/2010, CBP SHALL TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES OF CERTAIN DECORATIVE WASTE CONTAINERS DESCRIBED ABOVE WHICH WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION.
  4. REFUND ANY CASH DEPOSITS AND RELEASE ANY BONDS RELATING TO CERTAIN DECORATIVE WASTE CONTAINERS AS DESCRIBED ABOVE.
  5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF
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LIQUIDATION OF ENTRIES OF CERTAIN DECORATIVE WASTE CONTAINERS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 09/07/2010.

6. THE ASSESSMENT OF CVD DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930, AS AMENDED. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED CVD DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED CVD DUTIES BEFORE THE DATE OF PUBLICATION OF THE CVD DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED CVD DUTIES ARE REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. UNLESS INSTRUCTED OTHERWISE, FOR ALL OTHER SHIPMENTS OF CERTAIN DECORATIVE WASTE CONTAINERS FROM THE PRC NOT COVERED BY PARAGRAPH 2 ABOVE, YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED CVD DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY O3:JSC).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party